

Joint Public Notice



**US Army Corps
of Engineers**
Louisville District ®

Public Notice No.
LRL-2015-756-sjk

Open Date:
27 Oct 2016

Close Date:
28 Nov 2016

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Ms. Sarah Keller
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

APPLICANT: NALC, LLC
8090 South State Road 243
Cloverdale, Indiana 46120

AGENT: Civil Engineering Consultants, Inc.
1285 South Jackson Street, Suite B
Greencastle, Indiana 46135

LOCATION: 7925 South State Road 243, in Cloverdale, Putnam County, Indiana.

Latitude: 39.5511°N
Longitude: 86.86926°W
7.5 Minute Quad: Cloverdale, IN

PURPOSE: Development of a limestone quarry and associated infrastructure and storm water appurtenances.

DESCRIPTION OF WORK: The applicant proposes, over a period of twenty years, to develop a limestone quarry with its associated infrastructure, storm water appurtenances, and overburden storage. Approximately 1,232 cubic yards (cys) of clean earthen fill material would be discharged into 4 wetlands (totaling 0.075 acre) and 20 ephemeral tributaries to Deer Creek (totaling 11,556 linear feet). The following table summarizes the proposed impacts to "waters of the United States":

Water Resources	Resource Type	Impact (Linear feet)	Impact (Acres)	Impact Type
Wetland A	Emergent	NA	0.03	Fill - Overburden
Wetland B	Forested	NA	0.03	Excavation - quarry pit
Wetland C	Emergent	NA	0.007	Excavation - quarry pit
Wetland D	Emergent	NA	0.008	Excavation - quarry pit
Tributary A	Ephemeral	1,494	NA	Excavation - quarry pit

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Tributary B	Ephemeral	171	NA	Fill - material process area
Tributary C	Ephemeral	198	NA	Fill - material process area
Tributary D	Ephemeral	1,762	NA	Fill - material process, overburden areas
Tributary E	Ephemeral	303	NA	Fill - Overburden
Tributary F	Ephemeral	299	NA	Fill - Overburden
Tributary G	Ephemeral	30	NA	Fill - Overburden
Tributary H	Ephemeral	266	NA	Fill - Overburden
Tributary I	Ephemeral	752	NA	Excavation - quarry pit
Tributary J	Ephemeral	2,561	NA	Excavation - quarry pit
Tributary K	Ephemeral	606	NA	Excavation - quarry pit
Tributary L	Ephemeral	69	NA	Excavation - quarry pit
Tributary M	Ephemeral	739	NA	Fill - Overburden
Tributary N	Ephemeral	418	NA	Fill - Overburden, perimeter berms
Tributary O	Ephemeral	182	NA	Fill - Overburden
Tributary P	Ephemeral	280	NA	Fill - Overburden
Tributary Q	Ephemeral	150	NA	Fill - Perimeter berms
Tributary R	Ephemeral	233	NA	Fill - Perimeter berms
Tributary S	Ephemeral	977	NA	Fill - Perimeter berms
Tributary T	Ephemeral	66	NA	Fill - Perimeter berms
Total		11,556	0.075	

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The applicant intends to avoid impacts to ephemeral streams, where possible, in the 100-200 foot mining setback areas; however, due to the long-term nature of the quarry activity and possible unforeseen design changes, the applicant has assumed that all waters of the United States located on-site would be impacted by the proposed project.

Mitigation would be required to compensate for the proposed impacts to streams and wetlands. The proposed off-site mitigation is located approximately 1.25 miles from the project site to the southeast along Mosquito Creek (latitude 39.53851°, longitude -86.83966°). The 73-acre mitigation site would include: creation of 0.48 acres of emergent and forested wetlands; restoration (daylighting) of 2,109 lf of intermittent stream; construction of a riparian buffer along 6,000 lf of Mosquito Creek, including conversion of approximately 10 acres of agricultural land to riparian forest; vegetative enhancement, including invasive species removal/control, along 6,000 lf of intermittent and 2,000 lf of ephemeral tributaries; selective bank restoration/stabilization in

locations of severe bank erosion in Mosquito Creek; and installation of riffle pool complexes in various locations within the mitigation site. Cattle would be excluded, and the mitigation property protected in perpetuity.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice serves as the notice for a Clean Water Act Section 401 application for water quality certification from the IDEM. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Ave. Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. The applicant has conducted Phase 1(a) surveys of the project area and proposed mitigation site. A copy of the surveys and the Corps' Determination of Effect will be submitted to the State Historic Preservation Office. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>.

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All comments regarding this proposal should be addressed to Ms. Sarah Keller, CELRL-OPF-N at the address noted above and should refer to the Public Notice Number LRL-2015-756-sjk.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2015-756-sjk.

Example:

Subject: LRL-2015-756-sjk

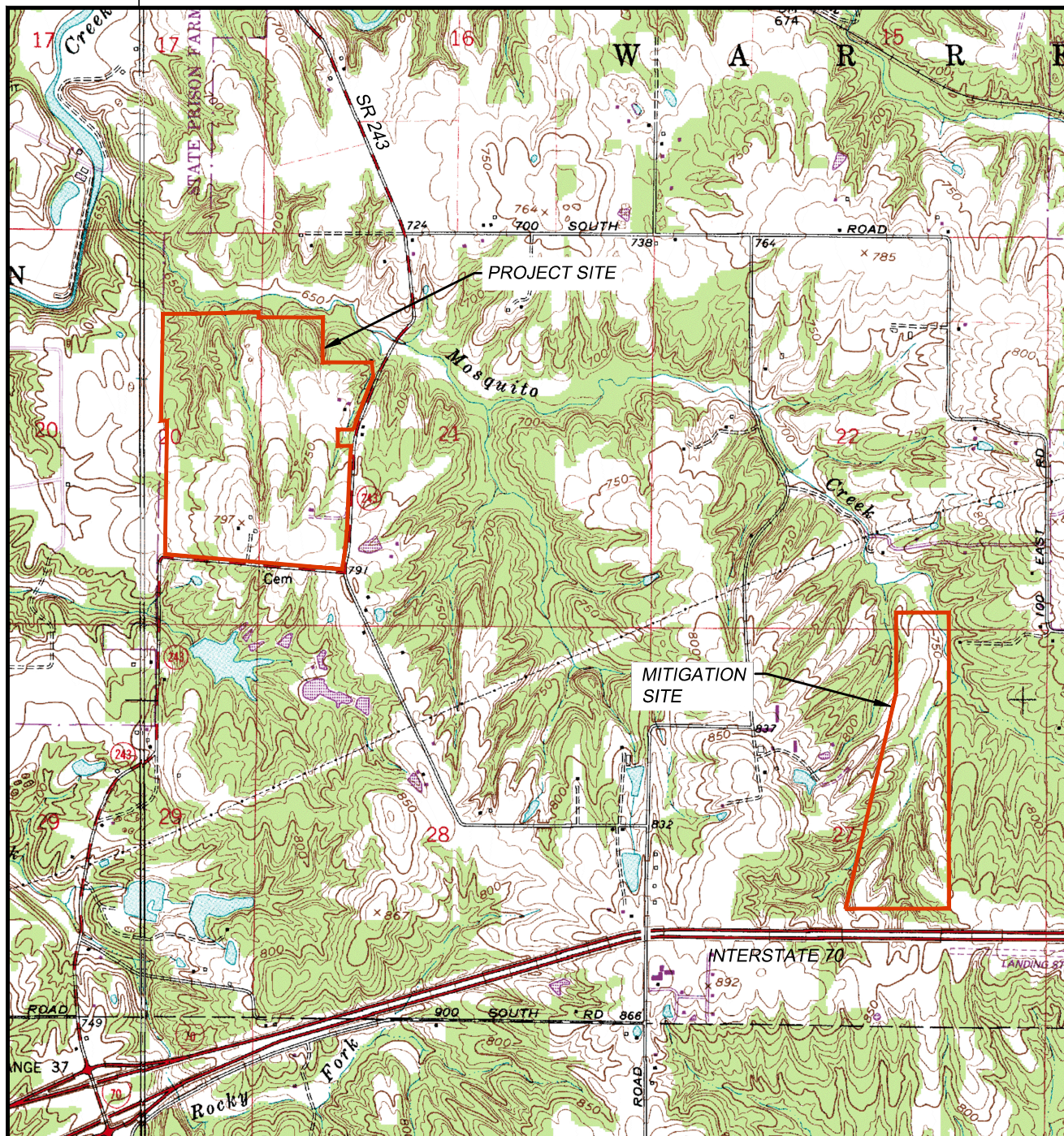
b) Provide your physical mailing address and telephone number.

c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil.

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

REELSVILLE QUAD

CLOVERDALE QUAD



SECTIONS 20, 21, 22 & 27, TOWNSHIP 13N, RANGE 4W,
WARREN TOWNSHIP, PUTNAM COUNTY



SCALE: 1" = 2000'

REF. #16-023
DATE: 7-18-2016



Civil Engineering Consultants, Inc.

NALC, LLC
LOCATION MAP
PUTNAM COUNTY INDIANA

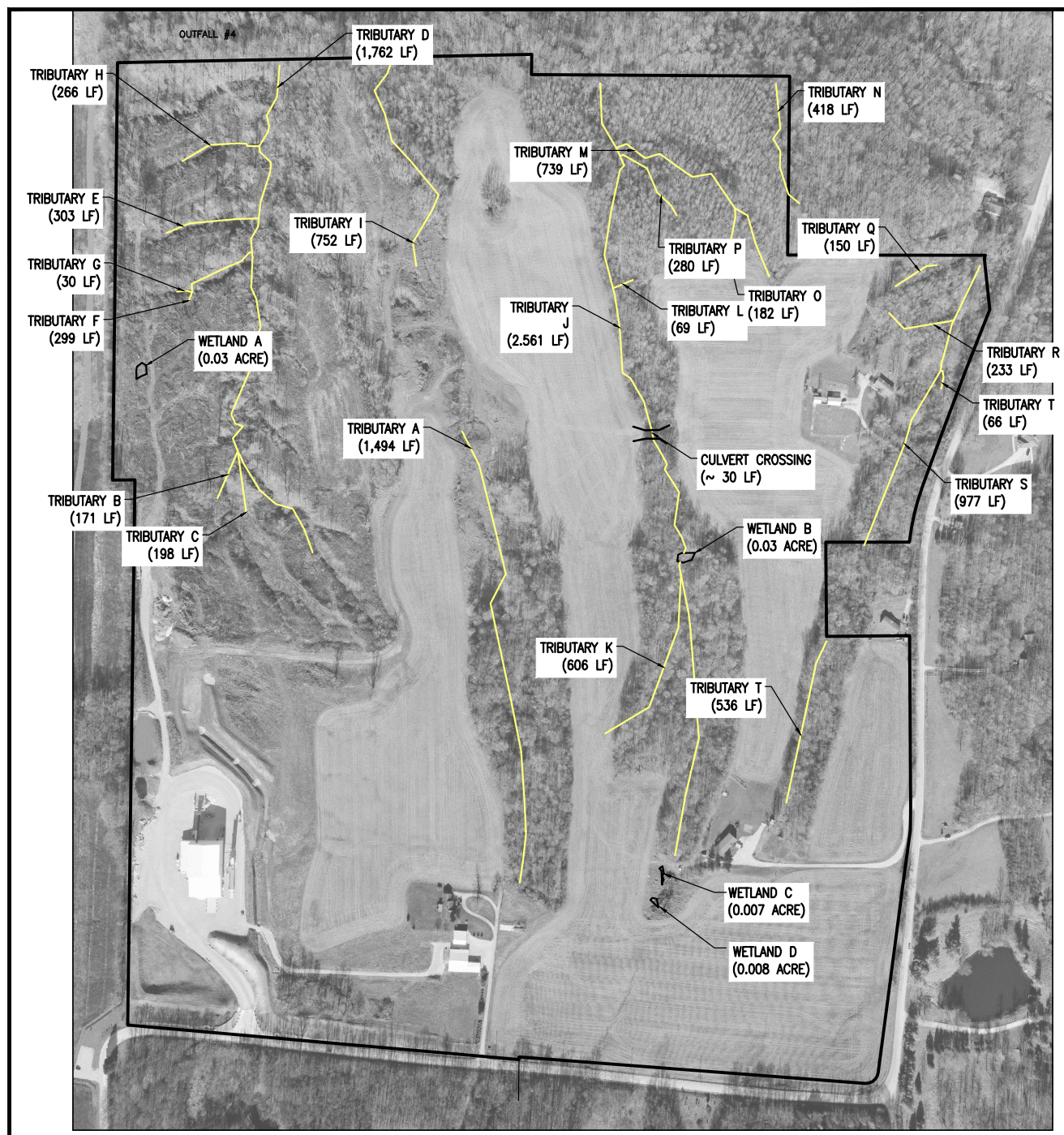
PN FIGURE 1

USACE ID NO. LRL-2015-756-sjk

SCALE: 1"=2000'



NOTE: WETLANDS AND STREAMS AS DELINEATED BY
WILLIAMS CREEK, JANUARY 2016

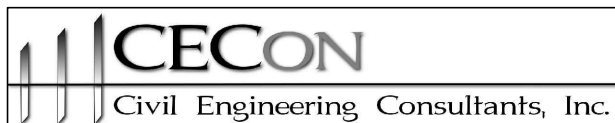


NALC, LLC NORTH RESERVES
SECTIONS 20 & 21, TOWNSHIP 13N, RANGE 4W
WARREN TOWNSHIP, PUTNAM COUNTY



SCALE: 1" = 500'

REF. #16-023
DATE: 7-18-2016

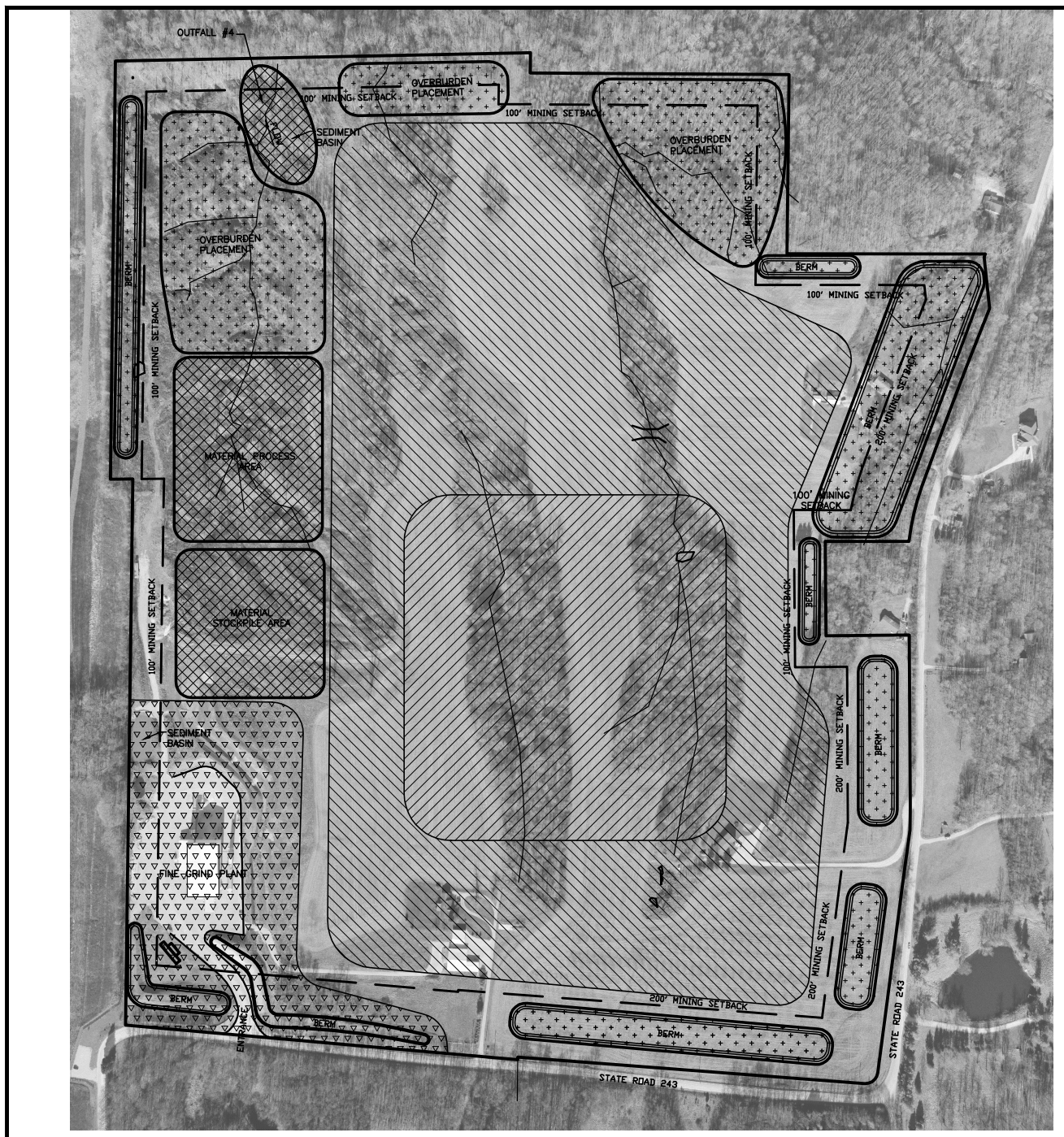


NALC, LLC
EXISTING CONDITIONS
PUTNAM COUNTY INDIANA

PN FIGURE 2

USACE ID NO. LRL-2015-756-sjk





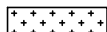
LEGEND



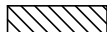
MATERIAL PROCESSING & STOCKPILES;
SEDIMENT BASIN INSTALLATION (2015)



MATERIAL PROCESSING & STOCKPILES;
SEDIMENT BASIN INSTALLATION (2016-2018)



PLACEMENT OF OVERBURDEN &
PERIMETER BERMS (2016-2018)



QUARRY EXCAVATION - FIRST LEDGE
(2016-2035)



QUARRY EXCAVATION - SECOND LEDGE
(2016-2035)



SCALE: 1" = 500'



CECON

Civil Engineering Consultants, Inc.

REF. #16-023
DATE: 10-4-2016

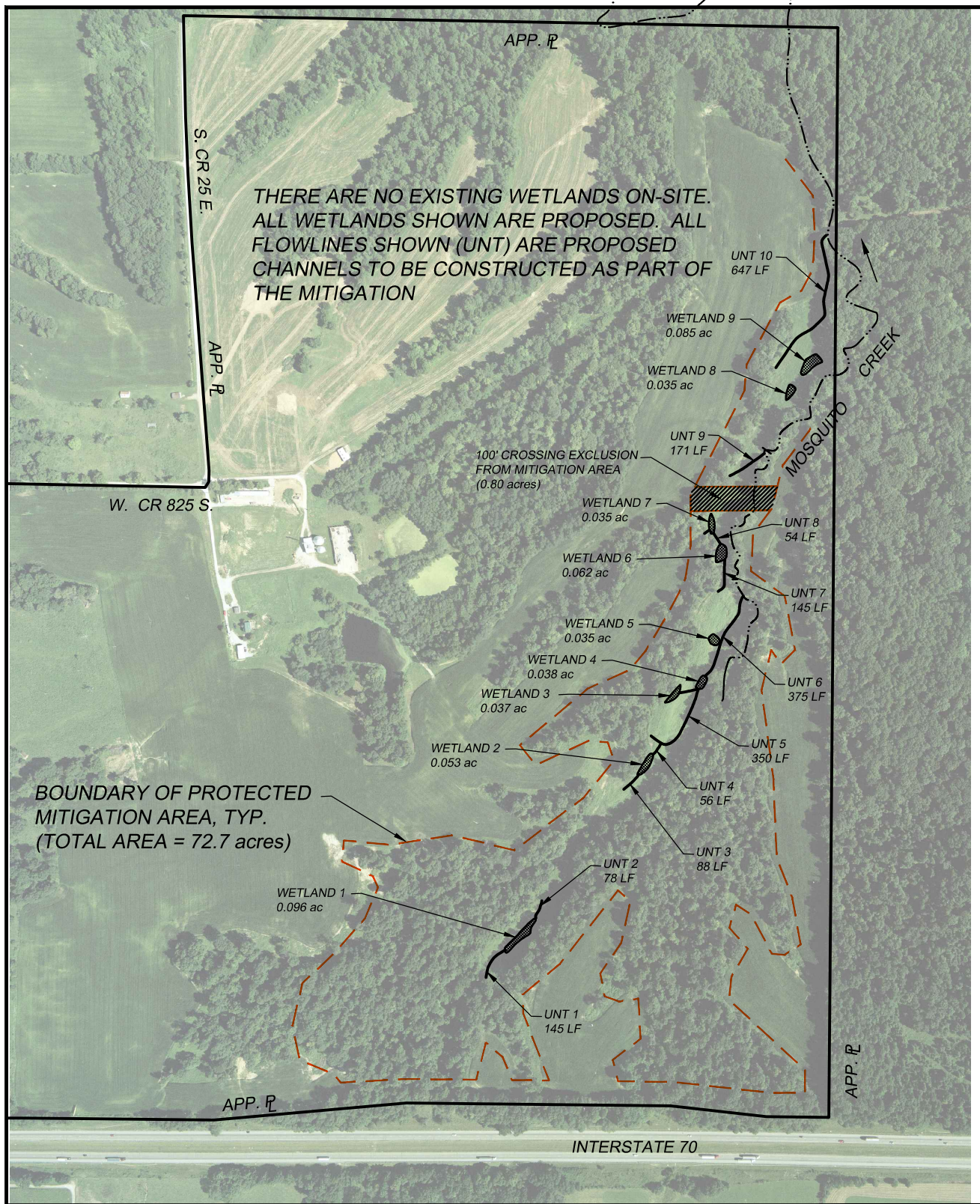
NALC, LLC

20-YEAR DEVELOPMENT PLAN
PUTNAM COUNTY INDIANA

PN FIGURE 3

USACE ID NO. LRL-2015-756-sjk





SECTIONS 22 & 27, TOWNSHIP 13N, RANGE 4W,
WARREN TOWNSHIP, PUTNAM COUNTY



SCALE: 1" = 600'



Civil Engineering Consultants, Inc.

REF. #16-023
DATE: 9-22-2016

NALC, LLC
PROPOSED MITIGATION SITE LAYOUT
PUTNAM COUNTY INDIANA

PN FIGURE 4

USACE ID NO. LRL-2015-756-sjk

